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No. 3307

LAW AND PARLIAMENTARY AFFAIRS SECRETARIAT

Notification No. LAW 62 LGN 75

Bangalore, dated the 11th September 1975.

Ordered that the Karnataka Land Reforms (Amendment) Ordinance, 1975 promulgated by the Governor of Karnataka in the Twenty-sixth Year of the Republic of India, be published as Karnataka Ordinance No. 11 of 1975 in the *Karnataka Gazette* for general information.

KARNATAKA ORDINANCE No. 11 OF 1975.

**The Karnataka Land Reforms (Amendment)
Ordinance, 1975.**

(Promulgated by the Governor of Karnataka in the Twenty-sixth Year of the Republic of India and First published in the Karnataka Gazette on the Eleventh day of September, 1975).

An Ordinance further to amend the Karnataka Land Reforms Act, 1961 (Karnataka Act 10 of 1962).

Whereas the Karnataka Legislative Assembly is not in session and only the Karnataka Legislative Council is in session and the Governor of Karnataka is satisfied that circumstances exist which render it necessary for him to take immediate action further to amend the Karnataka Land Reforms Act, 1961 (Karnataka Act 10 of 1962) for the purposes hereinafter appearing ;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 213 of the Constitution of India, the Governor of Karnataka is pleased to promulgate the following Ordinance, namely:—

1. Short title and commencement.—(1) This Ordinance may be called the Karnataka Land Reforms (Amendment) Ordinance, 1975.

(2) It shall come into force at once.

2. Amendment of section 48.—In section 48 of the Karnataka Land Reforms Act, 1961 (Karnataka Act 10 of 1962) (hereinafter referred to as the principal Act), —

(1) in sub-section (1)—

(i) in clause (ii), the words “ a member of the State Legislature and one shall be” and the words “where the member of the State Legislature nominated does not belong to such Caste or Tribe” shall be omitted ;

(ii) the following proviso shall be added, namely:—

“ Provided that if in its opinion it is necessary so to do, the State Government may constitute additional Tribunals for any taluk and the Deputy Commissioner may, subject to general or special orders of the State Government distribute the work among the Tribunals in any taluk.”;

(2) in sub-section (7), after the words “the Tahsildar”, the words “or any officer specially appointed for the purpose by the State Government” shall be inserted.

3. Amendment of section 48 A.—In section 48A of the principal Act, in sub-section (1), for the words “beyond six months”, the words “beyond that date” shall be substituted

4. Amendment of section 51—In section 51 of the principal Act, after the proviso, the following further proviso shall be added, namely:—

“Provided further that the amount payable to a minor, widow, a woman who has never been married or a person who is subject to physical or mental disability, for extinguishment of their rights in the lands vesting in the State Government under section 44, shall be paid in a lumpsum.”

5. Amendment of section 53.—In section 53 of the principal Act—

(i) in sub-section (1), for the portion beginning with the words “either in one lumpsum” and ending with the words “to the Tahsildar”, the words “in one lumpsum” shall be substituted;

(ii) after sub-section (1), the following sub-sections shall be inserted, namely:—

“(1A) The State Government may make rules providing for the tenant getting assistance from the State Land Development Bank or from a Credit Agency as defined in the Karnataka Agricultural Credit operations and Miscellaneous Provisions Act, 1974 (Karnataka Act 2 of 1975) for the payment of the amount of premium.

(1B) Notwithstanding anything contained in the Karnataka Co-operative Societies Act, 1959, the amount advanced to the tenants by the State Land Development Banks under rules made under sub-section (1A) may be recovered by the State Government in the same manner as arrears of land revenue and paid to the said Bank.

(1C) The amount advanced to a tenant by the credit agency may be recovered in the same manner as is provided in the Karnataka Agricultural Credit Operations and Miscellaneous Provisions Act, 1974 for recovery of any financial assistance given by it to a person for agricultural purposes."

6. Amendment of section 66.—In section 66 of the principal Act, after sub-section (3), the following sub-sections shall be inserted, namely :—

"(4) Notwithstanding anything contained in sub-section (1), every person, who had held on or after 18th November 1961 and before the commencement of the Amendment Act,—

(i) ten acres or more of lands having facilities for irrigation from a source of water belonging to the State Government; or

(ii) twenty acres or more of lands on which paddy crop can be grown with the help of rain water; or

(iii) forty acres or more of lands classified as dry but not having any irrigation facilities from a source of water belonging to the State Government, shall in respect of the land so held by him also furnish a declaration within ninety days from the date of the commencement of the Karnataka Land Reforms (Amendment Ordinance, 1975 to the Tahsildar within whose jurisdiction the holding of such person or a greater part thereof is or was situated containing the following particulars, namely.—

(i) particulars of the land;

(ii) particulars of the members of his family ;

(iii) particulars of lands transferred¹ or disposed of in any manner prior to 24th January 1971 and subsequent to that date;

(iv) particulars of the persons to whom lands if any, have been transferred or disposed of ;

(v) such other particulars as may be prescribed.

(5) The provisions of sub-sections (2) and (1) shall *mutatis mutandis* apply to the declarations to be furnished under sub-section (4)

7. Amendment of section 73.—In section 73 of the principal Act, for sub-section (3), the following sub-section shall be substituted, namely:—

“(3) The amount payable under sub-section (1) shall be paid in negotiable bonds carrying interest at the rate of five and a half per cent per annum and of guaranteed face value maturing within a specified period not exceeding twenty years :

Provided that the amount payable under the bonds issued under this sub-section may be paid in such number of instalments not exceeding twenty as may be prescribed.”

8. Amendment of section 125.—In section 125 of the principal Act,—

(i) after sub-section (1), the following sub-section shall be inserted, namely:—

“(1A) If any person who is under an obligation to furnish a declaration under sub-section (4) of section 66 refuses or fails to furnish a declaration within the period specified therefor under the said section or furnishes a declaration which he knows or has reason to believe to be false or incomplete, on conviction by a Magistrate be punished with imprisonment which shall be not less than six months but which may extend to one year or with fine which shall be five thousand rupees.” ;

(ii) in sub-section (2), for the words “If any person”, the words, brackets, figure and letter “Save as otherwise

provided in sub-section (1A), if any person" shall be substituted.

9. Amendment of section 132.—In section 132 of the principal Act, the words "the Court" shall be omitted.

MOHANLAL SUKHADIA

Governor of Karnataka.

By Order and in the name of the Governor of Karnataka,

M. L. RAMASWAMI,

Draftsman and Ex-officio

Joint Secretary to Government.

Department of Law and Parliamentary Affairs.